IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN ITS INSOLVENCY JURISDICTION

INSOLVENCY PETITION NO.140 OF 2004

Re: Smt.Lopa Sanjay Dhruv & anr.. Debtors.

Ex-parte:

Piyush Bhupatrai Virani ..Petitioning Creditor.

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Mr.Jayant Gaikwad i/b M/s.Ajay Khandhar & Co. for the Petitioning Creditor.

Debtor absent though served.

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CORAM : DR.D.Y.CHANDRACHUD, J.

15th March, 2005.

P.C. :

The Insolvency Notice which is based on an award was taken out on 4th April, 2003 and was served on 8th March, 2004. A Notice of Motion taken out by the Debtors for setting aside the Insolvency Notice was dismissed on 6th July, 2004.

The act of insolvency was thus committed on 6th July, 2004. An affidavit of service has been filed. There is no reply to the Petition. An order of adjudication has to be passed and is accordingly passed in terms of prayer clauses (a) and (b).